IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.O.C.P. No.321 of 2006
Date of Decision:- 06.11.2006

Malkiat Singh ....Petitioner

through
Mr.Raj Kaushik, Advocate

vs.

S.S.Ghuman and anr. ....Respondents

through
Mr.Munishwar Puri, Advocate

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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SURYA KANT, J.

The petitioner filed C.W.P.No.4464 of 2005 seeking a direction for regularization of his services. The said writ petition was disposed of by this Court vide order dated March 21, 2005 with a direction to respondent Nos.2 and 3 to consider the legal notice dated 18.9.2004, which the petitioner had already served, and dispose of the same by passing a speaking order within a period of three months.

Alleging non-compliance of the above-stated speaking order, this contempt petition has been filed.

In response to the show cause notice, Mr.Puri, learned counsel for the respondents has placed on record photostat copy of the order dated 9.2.2006 vide which the petitioner's claim for regularization of his services has been duly considered and turned down on the ground that the petitioner who was at Sr.No.53 in the existing list of DWCs cannot be given appointment as Chowkidar as there is no such vacant post in the Corporation at present. It is also stated in the order that the case of revival

of post of Chowkidar against direct quota has been taken up with the State Government and as and when the posts are revived, the case for regularization of the petitioner along with the other eligible DWCs will be considered as per their seniority and policy of the State Government.

In view of the above-stated order, this petition is disposed of with liberty to the petitioner to impugn the above-stated order dated 9.2.2006 before an appropriate forum, if so advised and/or to stake his claim for regularization of his services as per seniority and policy of the State Government as and when the post of Chowkidars are revived in the Corporation under the Orders of the State Government.

With the above-stated observations/directions, this petition is disposed of.

Rule discharged.

November 06, 2006 **(SURYA KANT)**
poonam **JUDGE**